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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,243	12/02/2003	John B. Amundson	H0005445-9950 (1161.11411)	3516
128	7590	12/29/2005	EXAMINER PHAM, THOMAS K	
HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245			ART UNIT 2121	PAPER NUMBER

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/726,243

Applicant(s)

AMUNDSON ET AL.

Examiner

Thomas K. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 and 37-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 and 37-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

First Action on the Merits

1. Claims 1-35 and 37-40 of U.S. Application 10/726,243 filed on 12/02/2003 are presented for examination.

Quotations of U.S. Code Title 35

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim Objections

6. The numbering of claims are improper. When original claims are presented, they must be numbered consecutively. Claim 36 is missing from the original list of claims.

Misnumbered claims 37-40 been renumbered 36-39 for examination purpose.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. Claims 1-11, 16-24 and 28-39 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,608,560 ("Abrams").

Regarding claim 1

Abrams teaches an HVAC controller for use in controlling one or more components of an HVAC system, the HVAC controller comprising:

- a controller adapted to determine if one or more service events occurred for one or more the components of the HVAC system (see col. 1 lines 60-64 and col. 4 lines 43-52); and
- a display unit configured to display servicing information when a service event is determined by the controller (see col. 4 lines 1-5).

Regarding claim 19

Abrams teaches a programmable controller for use in controlling one or more components of a system, the controller comprising:

- a controller adapted to determine if one or more service events occurred for one or more the components of the system (see col. 1 lines 60-64 and col. 4 lines 43-52); and
- a display unit configured to display a logo when a service event is determined by the controller (see col. 4 lines 1-5).

Regarding claim 30

Abrams teaches an HVAC system, comprising:

- one or more components for regulating a set of environmental conditions within a structure (see col. 1 lines 7-10, "HVAC system"), and
- a controller operatively connected to said one or more components (see col. 1 lines 60-64 and col. 4 lines 43-52),
- said controller including display means for displaying servicing information when a service event is detected (see col. 4 lines 1-5).

Regarding claim 36

Abrams teaches an HVAC system, comprising:

- one or more components for regulating a set of environmental conditions within a structure (see col. 1 lines 7-10, "HVAC system"), and
- a controller operatively connected to said one or more components, said controller including an interface for programming a service event display mode in the controller (see col. 1 lines 60-64 and col. 4 lines 43-52), and display means for displaying servicing information when a service indicator is detected in at least one of said one or more components (see col. 4 lines 1-5).

Regarding claim 37

Abrams teaches an HVAC controller for use in controlling one or more components of an HVAC system, the HVAC controller comprising:

- a controller adapted to determine if one or more service events occurred for one or more the components of the HVAC system (see col. 1 lines 60-64 and col. 4 lines 43-52); and

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- notifying means for notifying a service provider when a service event is determined by the controller (see col. 5 lines 36-49).

Regarding claims 2, 3, 20 and 31

Abrams teaches wherein said servicing information includes a graphical representation of a logo and/or a telephone number (see col. 5 lines 3-10).

Regarding claims 4 and 21

Abrams teaches wherein said servicing information includes a service event code (see col. 4 lines 30-41).

Regarding claims 5 and 22

Abrams teaches wherein said servicing information includes a description of the service event (see col. 4 lines 43-52).

Regarding claims 6 and 32

Abrams teaches wherein said controller determines if a service event occurred by receiving a service event indicator from at least one of said one or more components (see col. 4 lines 43-52).

Regarding claims 7 and 33

Abrams teaches wherein said controller determines if a service event occurred by determining if an equipment service event timer expired (see col. 4 lines 53-62).

Regarding claims 8 and 34

Abrams teaches wherein said service event is activated by a user (see col. 3 lines 40-47).

Regarding claims 9, 24 and 35

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Abrams teaches wherein said one or more components are one or more of a heating unit, a cooling unit, a ventilation unit, a filtration unit, a UV lamp unit, a humidifying/dehumidifying unit, a local sensor, and a remote sensor (see col. 3 lines 40-43).

Regarding claims 10 and 28

Abrams teaches wherein said display unit comprises a touch screen (see col. 3 line 47-51).

Regarding claims 11 and 29

Abrams teaches wherein said display unit comprises an LCD panel (see col. 4 lines 1-5).

Regarding claim 16

Abrams teaches wherein the controller determines if one or more service events occurred for one or more the components of the HVAC system by polling at least selected components of the HVAC system (see col. 4 lines 43-52).

Regarding claim 17

Abrams teaches wherein at least some of the components of the HVAC system communicate with the controller over a network (see col. 3 lines 55-67).

Regarding claim 18

Abrams teaches wherein at least some of the components of the HVAC system communicate with the controller via an I/O interface (see col. 3 lines 55-67).

Regarding claim 23

Abrams teaches wherein said system includes an HVAC system (see col. 1 lines 7-10).

Regarding claim 38

Abrams teaches wherein the service provider is one of a contractor, a service referral organization, a utility, a retailer, or a manufacturer (see col. 1 lines 60-64, "HVAC contractor").

Regarding claim 39

Abrams teaches wherein the notifying means notifies a different service provider for two different service events (see col. 4 lines 6-21).

Claim Rejections - 35 USC § 103

8. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams in view of U.S. Patent No 6,741,915 ("Poth").

Regarding claim 12

Abrams does not teach a data input port coupled to the controller for uploading data to the controller .

However, Poth teaches a programmable digital thermostat including a serial port within the casing to communicate with an external device (see col. 6 lines 18-27) for the purpose of uploading and/or downloading data between the thermostat and the external device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the data transferring mechanism of Poth with the system of Abrams because it would provide for the purpose of uploading and/or downloading data between the thermostat and the external device.

Regarding claim 13

Abrams does not specifically teach the controller is adapted to receive a graphical representation of a logo via the data input port, and wherein the display unit is configured to display the logo when a service event is determined by the controller.

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However, Poth teaches a programmable digital thermostat including a serial port within the casing to communicate with an external device (see col. 6 lines 18-27) for the purpose of uploading and/or downloading data between the thermostat and the external device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the data transferring mechanism of Poth with the system of Abrams because it would provide for the purpose of uploading and/or downloading data between the thermostat and the external device.

Regarding claim 14

Poth teaches wherein the data input port is a wired port (see col. 4 lines 52-53).

Regarding claim 15

Poth teaches wherein the data input port is a wireless port (see col. 4 lines 58-60).

9. Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abrams in view of U.S. Patent No. 5,877,957 ("Bennett").

Regarding claim 25

Abrams does not specifically teach the system includes a security system.

However, Bennett teaches an automation system for controlling programmable devices by using dialog for training devices, wherein the devices includes a home security system (see col. 1 lines 30-32) for the purpose of providing an inexpensive, easily installed, and easily programmable and reprogrammable system by a user with no experience in programming (see col. 2 lines 16-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the automation system of Bennett with the system of Abrams because it would provide for the purpose of providing an inexpensive, easily installed, and easily programmable and reprogrammable system by a user with no experience in programming.

Regarding claim 26

Bennett teaches the system includes a lighting system (see col. 1 lines 25-27).

Regarding claim 27

Bennett teaches the system includes a sprinkler or drip water system (see col. 1 lines 25-28).

Conclusion

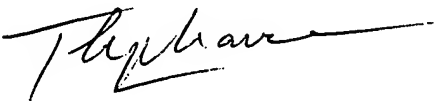
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday - Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Any response to this office action should be mailed to: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**. Responses may also be faxed to the **official fax number (571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

A handwritten signature in black ink, appearing to read 'Th Pham', with a long horizontal flourish extending to the right.

December 19, 2005